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President: Ms. King (Vice-President).....(Saint Vincent and the Grenadines)

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In the absence of Ms. Chatardova (Czechia), Ms. King (Saint Vincent and the Grenadines), Vice-Chair, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 18: Economic and environmental questions

(a) Sustainable development (E/2018/33)

1. **Ms. Fukuda-Parr** (Vice-Chair of the Committee for Development Policy), introducing the report on the twentieth session of the Committee for Development Policy (E/2018/33), said that the Committee had addressed a wide range of topics, from long-standing development challenges to emerging contemporary issues. A core concern remained the development progress of least developed countries. Accordingly, the Committee had conducted a triennial review of the list of least developed countries in order to identify countries for inclusion in and graduation from the list. It had also focused on monitoring graduated and graduating least developed countries and was working on improved assistance for the latter.

2. The Committee identified least developed countries on the basis of three criteria: per capita gross national income; the human assets index; and the economic vulnerability index. Graduation thresholds had intentionally been set at a higher level than inclusion so that it was more difficult for countries to leave the least developed country category than to join it, thereby preventing any movement detrimental to continuous progress towards sustainable development. In making its recommendations, the Committee did not rely solely on the above quantitative indicators but also assessed the overall vulnerability of a country and the likely impact of its graduation on international support. Moreover, it sought the views of the country concerned.

3. Drawing attention to the countries considered for graduation, she said that Bhutan, Sao Tome and Principe and Solomon Islands had been deemed eligible for graduation for the second consecutive time. Accordingly, the Committee had recommended them all for graduation. In line with General Assembly resolutions 59/209 and 67/221, the Committee had advised the Council to reiterate the importance for development partners to support graduating countries with concrete measures to facilitate a smooth transition. Kiribati had been identified as eligible for graduation for the third consecutive time and the Committee had therefore recommended the country for graduation. However, an effective support mechanism was necessary to address the gap in international support to countries like Kibirati, which had achieved development beyond the status of a least developed country but nevertheless remained vulnerable. The Committee had therefore recommended the creation of a category of countries facing extreme vulnerability to climate change and other environmental shocks. Kiribati, Tuvalu and similarly vulnerable countries within that category should receive support targeting those vulnerabilities. Nepal and Timor-Leste had been found eligible for the second consecutive time, but were not recommended for graduation. Their sustainable development progress would be considered again at the next triennial review in 2021. Lastly, as Bangladesh, the Lao People's Democratic Republic and Myanmar had fulfilled the criteria for graduation for the first time, they would be considered for graduation at the next triennial review in 2021.

4. In its monitoring of countries that were graduating and had graduated from the least developed country category, the Committee noted that Maldives, Samoa and Vanuatu had continued to achieve steady development progress despite ongoing vulnerability to economic and environmental shocks. However, it also noted an imbalance between per capita income and the level of human assets in Equatorial Guinea and Angola. Both countries remained heavily dependent on the oil sector, which was causing macroeconomic challenges.

5. While the Committee welcomed the increased attention to the need to support a smooth transition of countries graduating from the least developed country category, it had found that existing measures simply delayed the loss of least development country-specific support. In that regard, an appropriate package of incentives, including analytical inputs, advisory services and new forms of development cooperation, could mitigate the impacts of graduation and further the development progress of graduating countries. To that end, the Committee secretariat had developed a web-based platform, known as Gradjet, which provided information and analysis on graduation and advised Governments on the activities they might wish to undertake before, during and after graduation.

6. In other areas, the Committee had analysed the voluntary national reviews of the implementation of the 2030 Agenda for Sustainable Development presented at the high-level political forum on sustainable development. While most reviews had emphasized the overarching objective of leaving no one behind, only a few had offered explicit strategies for putting that principle into practice. More attention should therefore be given in the reviews to describing concrete trade-offs and policy mechanisms for addressing them.

7. **Mr. Martínez Sugastti** (Observer for Paraguay), speaking on behalf of the Group of Landlocked Developing Countries, welcomed the Committee's recommendation for Bhutan to graduate from the list of least developed countries and said that the Group supported the request of the Government of Bhutan for graduation to be effective upon the conclusion of that country's twelfth national development plan in 2023. He urged the development and trading partners of Bhutan to provide it with the necessary external support for smooth graduation. Commending the other countries that were found eligible for graduation from the least developed country category, he emphasized the importance of supporting countries that were committed to graduation at a suitable pace, to allow them to prepare for sustainable and irreversible graduation.

8. He called upon the Committee to review the criteria for the graduation of least developed countries, taking into account the specific needs and challenges that those vulnerable countries faced, including their landlocked status, where applicable. Such a review should be conducted prior to the establishment of new categories of vulnerable countries and any proposals made in that regard should follow an open, objective and inclusive approach.

9. **Mr. Nenem** (Observer for Kiribati) said that while his country recognized the importance of the Committee's report, the recommendations contained therein had significant implications for Kiribati. It was important to ascertain the relevance of the graduation criteria in relation to the current context, factoring in such issues as the impact of climate change on islands, people's livelihoods and development efforts. Kiribati was extremely vulnerable to external shocks and the impact of climate change, which could potentially reverse years of development work. The recommendation to place Kiribati in a new category for highly vulnerable countries, one that had not yet been clearly defined, was a matter of strong concern.

10. The graduation of Kiribati from the least developed country category would be premature, particularly as the Government was currently in the early stages of establishing a more robust framework for sustainable and inclusive economic growth and development, through Kiribati Vision 20. Good performance on the gross national income and human assets indices would mean little if the necessary capacities and resources were lacking or unsustainable. As his country had not been given any guarantees that its development would not be disrupted or reversed after graduation, it did not have the necessary confidence to proceed. Accordingly, he called for Member States to support the reconsideration of his country's graduation from the least developed country category.

11. **Ms. Kang** (Republic of Korea), commending the countries that had met the graduation criteria, said that her Government strongly believed in a sustainable and irreversible graduation process. It therefore supported both the Committee's approach of considering the specific situation of each country when determining the timing of their graduation and the request by Bhutan to align its preparatory period with the conclusion of its national development plan.

12. More details would be needed on the specific challenges and the way forward for Kiribati, Sao Tome and Principe and Solomon Islands. The creation of a new category of countries facing extreme vulnerability to climate change and other external shocks should be treated with caution; instead, the integration of related concerns into existing categories would be preferable. An analysis of the current categories and the implications of new categories must be reviewed before an informed decision could be made.

13. The Republic of Korea, which had recently increased its cooperation with least developed countries by allocating some 40 per cent of its total official development assistance to those countries, remained committed to supporting the efforts of its partner countries to sustain development progress.

14. **Ms. Tshering** (Observer for Bhutan), welcoming the Committee's recognition of her country's request to align its graduation with the conclusion of its twelfth national development plan in 2023, said that the commitment of Bhutan to graduating from the category of least developed countries represented the culmination of over five and a half decades of planned development. Nonetheless, Bhutan recognized that, as a small and landlocked developing country, it faced economic and structural challenges that posed risks to its sustainable graduation. For example, Bhutan had not fulfilled the graduation criteria on the economic vulnerability index, remaining 25.6 per cent off the threshold, it had a small economy, and its relatively high growth rate was primarily driven by the hydropower sector. Such challenges were exacerbated by high vulnerability to climate change, including glacial lake outburst floods, extreme weather and natural disasters.

15. To be successful, graduation must be sustainable and irreversible. The request made by Bhutan to graduate in 2023 stemmed from its firm commitment to a successful graduation from the least developed country category. The twelfth plan presented an opportunity to mainstream the transition strategy for graduation into the national development plan. Bhutan

was committed to achieving the Sustainable Development Goals through economic diversification that translated growth into jobs, increased resilience to external shocks, broadened the base for government revenue and improved prospects for youth.

16. **Mr. Laghmaid** (Morocco) said that he shared the Committee's view that the request of Bhutan to align the effective date of its graduation with the conclusion of its national development plan was reasonable. The trading partners of Bhutan should provide that country with the necessary assistance to facilitate a smooth transition.

17. The least developed countries had shown real determination in establishing national development strategies that had led to significant improvements in their socioeconomic indicators. However, they continued to face several challenges that limited their capacity for growth and development, including low levels of participation in international trade and heightened vulnerability to climate change. The implementation of the 2030 Agenda, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and the Paris Agreement under the United Nations Framework Convention on Climate Change offered opportunities to establish renewed development partnerships to strengthen the commitment of the international community to the development of least developed countries. Morocco would continue to support international initiatives for the development of least developed countries in Africa, and called for their effective implementation.

(f) Population and development (E/2018/25)

18. **Mr. Jinga** (Chair of the Commission on Population and Development), introducing the report on the fifty-first session of the Commission on Population and Development (E/2018/25), said that the session's theme of "Sustainable cities, human mobility and international migration" had provided an opportunity to examine the links between two megatrends: the increasing concentration of the global population in cities, and major movements of people between and within countries. Delegations had shared their experiences of addressing the challenges and harnessing the opportunities of urban growth to ensure inclusive and sustainable urban development. Policies were needed to ensure sustainable land use and access to education, health care, employment, housing, sanitation and other services, particularly for vulnerable urban populations.

19. During the session Member States had acknowledged the significance of migration as a global megatrend and the challenges faced by countries of origin, transit and destination. However, it had also been recognized that well-managed migration contributed to development and growth, and that the human rights of migrants must be upheld. Speakers had highlighted that most future population growth would take place in the cities of developing regions, that cities were often the gateways for receiving and integrating migrants into their destination countries, and that data on cities, human mobility and international migration were important to inform evidence-based policies.

20. Consensus had not been reached on all issues, however, notably the special theme regarding sexual and reproductive health and national sovereignty. He had therefore withdrawn the text corresponding to that matter.

21. In its report, the Commission recommended to the Council the adoption of a draft decision to take note of the report on its fifty-first session and to approve the provisional agenda for its fifty-second session. A separate draft decision recommended the adoption by the Council of the report on the flow of financial resources for assisting in the further implementation of the Programme of Action of the International Conference on Population and Development. Furthermore, the Commission had adopted a decision on the special theme for its fifty-third session, entitled "Population, food security, nutrition and sustainable development", and a decision taking note of the report of the Secretary-General entitled "Programme implementation and progress of work in the field of population in 2017: Population Division, Department of Economic and Social Affairs" (E/CN.9/2018/6).

22. The fifty-first session had occurred at a critical juncture. It reflected the adoption of decisions on new working methods implemented not only for the next review and assessment cycle of the Programme of Action but also for follow-up and review of the 2030 Agenda. Nonetheless, the Commission was concerned by the failure to reach consensus on the special theme. It was essential for the Commission to fulfil its mandate to monitor, review and assess the implementation of the Programme of Action at the national, regional and international levels. He called upon Member States to continue engaging in discussions, and asked for their support in endorsing the draft proposals presented in the Commission's current report. It was important to demonstrate strong leadership in carrying forward a comprehensive review of the Programme of Action.

Action on recommendations contained in the report of the Commission on Population and Development on its fifty-first session (E/2018/25).

23. **The President** drew attention to the draft decisions contained in chapter I, section A, of the report.

Draft decision: Report of the Commission on Population and Development on its fifty-first session and provisional agenda for its fifty-second session

Draft decision: Report on the flow of financial resources for assisting in the further implementation of the Programme of Action of the International Conference on Population and Development

24. *The draft decisions were adopted.*

Agenda item 19: Social and human rights questions

(e) United Nations High Commissioner for Refugees

25. **Ms. Vukovic** (New York Office of the United Nations High Commissioner for Refugees (UNCHR)), presenting an oral report on behalf of the High Commissioner, said that, as at the end of 2017, there had been some 71.4 million people of concern to UNHCR: refugees, returnees, internally displaced persons and stateless persons. Millions of persons were newly displaced, fleeing war, violence and persecution. Progress towards solving refugee crises remained woefully limited. The previous year had seen only a modest increase in the number of refugees who had voluntarily returned home, with some 667,000 returnees. Opportunities for third country solutions through resettlement had fallen by over 50 per cent, to approximately 75,000 persons, despite increasing resettlement needs.

26. With global refugee numbers at levels not seen in decades and progress towards solutions limited, it was more crucial than ever to ensure comprehensive and predictable responses to large-scale movements of refugees and to ease the burden on host countries. Central to those efforts was progress on the implementation of General Assembly resolution 71/1, namely the New York Declaration for Refugees and Migrants, particularly with respect to the comprehensive refugee response framework, contained in annex I thereto, which should lead to the development of a global compact on refugees.

27. The Office was engaged in those and other efforts with a wide range of partners, including States Members of the United Nations, the private sector and civil society members. For example, non-governmental organizations across the globe had been instrumental in advancing the comprehensive refugee response framework and the global compact on refugees. The application of the framework now extended to 14 countries, 11 of which were part of regional comprehensive responses. Lessons learned from those responses had fed into the work on the global compact on refugees. Starting in 2017, UNHCR had launched thematic discussions on the compact, and in 2018 the Office had become engaged in formal consultations with Member States in Geneva. The compact sought to ensure more predictable and equitable burden- and responsibility-sharing for strengthened cooperation and solidarity with refugees and affected host countries. The compact would not only include the framework itself, but also a programme of action to facilitate its application as well as follow-up and review mechanisms. The High Commissioner would annex the proposed compact to his annual report to the General Assembly at the end of July for consideration.

28. The Office had been actively contributing to the Secretary-General's reform efforts as part of the United Nations Sustainable Development Group and as a member of the Joint Steering Committee to Advance Humanitarian and Development Collaboration. UNHCR also led the work on the duty of care within the United Nations System Chief Executives Board for Coordination. In addition, UNHCR remained extensively engaged in the work of the Inter-Agency Standing Committee on Post-War and Disaster Reconstruction and Rehabilitation, both in terms of policy development and operational responses. Furthermore, it led the Global Protection Cluster and co-led the global camp coordination and camp management cluster and the shelter cluster. Those efforts were in response to the needs of six million people and engaged over 400 partners.

29. In addition, UNHCR was leading inter-agency efforts on prevention and response to statelessness, it was involved in the work of the Senior Peacebuilding Contact Group and it had also been closely engaged in discussions on the global compact for migration. In conjunction with the International Organization for Migration and the Office of the Special Representative of the Secretary-General, UNHCR was seeking to ensure coherence between the global compact on refuges and the global compact for migration.

30. In commemoration of the twentieth anniversary of the Guiding Principles on Internal Displacement, UNHCR had begun working with the Office for the Coordination of Humanitarian Affairs and other partners to implement the three-year plan of action endorsed by the Inter-Agency Standing Committee to prevent, protect and resolve situations of internal displacement.

31. Engagement with other partners on joint initiatives to improve operational effectiveness had continued in 2017. In that context UNHCR was working with the International Organization for Migration in response to mixed movements, including Venezuelans leaving their country; with the Office of the High Commissioner for Human Rights (OHCHR) on duly incorporating the principle of leaving no one behind into the United Nations Development Assistance Frameworks; and with the United Nations Development Programme (UNDP) on strategic areas of joint engagement for refugees, returnees, internally displaced and stateless persons, who were now included in the UNDP rule of law and governance programmes. UNHCR had also formally joined the global focal point arrangement for police, justice and corrections areas in the rule of law in post-conflict and other crisis situations, co-led by UNDP and the United Nations Department for Peacekeeping Operations. Cooperation with the Food and Agriculture Organization of the United Nations had been strengthened through joint development programmes for refugees in over 12 countries. Lastly, UNHCR continued to work with the World Bank for the benefit of persons of concern and host countries, and had strengthened its collaboration with the African Development Bank and the Organization for Economic Cooperation and Development, among other development partners.

32. The partners working with UNHCR remained central to its operational delivery, with over $1.5 billion dispersed through over 1,000 international and national partners in 2017. More funds had been disbursed by and through local partners than in any other year, including some $524 million to approximately 650 national non-governmental organizations. Local non-governmental organizations were participating in numerous initiatives aimed at harmonizing and simplifying processes and UNHCR was also strengthening its partnership with the private sector in relation to ways that innovation and entrepreneurship could benefit persons of concern. In that regard, enhanced efforts were being made to offer employment opportunities to refugees and facilitate their access to financial services.

33. UNHCR had made structural changes to enhance its work with partners. The Partnership and Coordination Service, for example, had been reconfigured and was responsible for relations with humanitarian partners, including non-governmental organizations, and for guiding UNHCR engagement in inter-agency humanitarian processes. A new Division of Resilience and Solutions had also been established to provide guidance and operational support in pursuit of solutions for the forcibly displaced.

34. UNHCR and its partners owed it to refugees and other displaced persons to strive for efficient and effective coordination in order to better serve and protect them.

(f) Human Rights (E/2018/22 and E/2018/57)

35. **Ms. Lu** (New York Office of the High Commissioner for Human Rights (OHCHR)), introducing the report on the sixtieth, sixty-first and sixty-second sessions of the Committee on Economic, Social and Cultural Rights (E/2018/22), said that the additional meeting time granted to the Committee had enabled it to consider a much higher number of reports and to significantly reduce the backlog of reports pending consideration. Recalling the importance of reporting, she called on those States that had not yet submitted their initial reports, or had long overdue periodic reports, to do so, and, if necessary, to request assistance from the capacity-building programme of OHCHR to that end.

36. Under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Committee had continued its consideration of individual communications. To date the Committee had registered 22 communications. Views had been adopted in three of those communications, including one in which no violations had been found, and 12 communications had been declared inadmissible. The Committee had shown rigour in its interpretation and application of the rights under the Covenant. Individuals and States parties to the Covenant could now rely on a robust jurisprudence on the meaning of the Protocol.

37. In 2017, the Committee had adopted a statement on the duties of States towards refugees and migrants under the Covenant (E/C.12/2017/1). The statement elaborated on the range of economic, social and cultural rights to which the people concerned should be entitled in the countries through which they transited, or in which they sought safe haven or resettlement.

38. Lastly, at its sixty-first session, the Committee had adopted general comment No. 24 (2017) on State obligations under the Covenant in the context of business activities. The adoption of the general comment had followed broad consultations including not only a large number of States, but also academic research institutes and civil society organizations, as well as international organizations such as the Council of Europe and the International Labour Organization, as well as business representatives. The general comment was a key document that sought to respond to the growing impact of business activities on the enjoyment of specific Covenant rights relating to health, housing, food and labour rights, among others, by clarifying the duties of States parties. In the general comment, the

Committee confirmed that States had duties that reached beyond their national territories. It took the view that States should regulate corporations domiciled in their territories and/or jurisdictions and establish appropriate remedies guaranteeing their effective access to justice for victims of business-related human rights abuses in a transnational context.

39. Introducing the report of the United Nations High Commissioner for Human Rights on economic, social and cultural rights (E/2018/57), she said that the report focused on the link between urbanization and human rights, particularly economic, social and cultural rights, as a contribution to the human rights-based implementation of the New Urban Agenda and the 2030 Agenda. The report outlined the key roles played by local and national authorities in ensuring that urbanization advanced human rights and inclusive, sustainable and resilient societies, where all people could live in dignity. Several human rights challenges associated with rapid urbanization were highlighted in the report, as well as examples of human rights-based approaches adopted by local and national authorities and other stakeholders to address those challenges in order to ensure that no one was left behind.

40. The report recommended that State authorities at all levels should, inter alia: recognize that housing and land were human rights and not commodities; guarantee the security of tenure for all; ensure that urban and spatial planning respected, protected and fulfilled human rights; address homelessness and forced evictions with a cross-sectoral human rights based strategy; end laws and policies that could result in the criminalization of people living in poverty; guarantee access to all services, including water and sanitation, for all urban inhabitants; and ensure that urban financing models were grounded in human rights.

41. **Mr. Kuzmenkov** (Russian Federation) said that his delegation wished to take the opportunity to comment on the concluding observations of the Committee on Economic, Social and Cultural Rights on the sixth periodic report of the Russian Federation (E/C.12/RUS/CO/6). Despite the work carried out by the Committee to optimize its work, the arrangements currently in place for the consideration of national reports still needed to be further improved. For example, during the dialogue itself, a significant amount of the time that might have been spent on a substantive discussion of the implementation of specific articles of the Covenant had been wasted on general theoretical issues.

42. There remained a concern over Committee experts being too trusting of information provided by non-governmental organizations, both through so-called shadow reports and from meetings held prior to the presentation of the report itself. At times such information was unverified and gave a distorted picture of events taking place on the ground. Unfortunately, it was on the basis of such unverified data that recommendations had been made in paragraphs 15 (b), (c) and (e), paragraphs 47 and 49 and paragraphs 57 (b) and (d) of the concluding observations concerning the situation of indigenous peoples in the Russian Federation, in particular the Shor people and Roma, as well as representatives of sexual minorities. Furthermore, the clarifications provided by his delegation had not been incorporated in the concluding observations in paragraph 6 on the applicability of the Covenant; paragraph 8 on non-governmental organizations; paragraph 10 on the rights of Crimean Tatars and ethnic Ukrainians; paragraph 31 on the adoption of minimum wage legislation; paragraph 35 on ensuring the right to strike; paragraph 37 on providing a social security system; and paragraph 41 on the situation of children living in institutions.

43. His delegation could not agree with references in the concluding observations to various general comments by the Committee, as contained in paragraphs 6, 13, 23, 25(e), 27, 29, 31, 33(e), 47(d), 51(g), 55 and 57 (e) of the document. The Russian Federation had repeatedly stressed that general comments were merely the private opinions of experts and could not place any additional obligations on States not already entered into voluntarily by them. Accordingly, in preparing its periodic reports on the implementation of the provisions of the Covenant, the Russian Federation would continue to be guided exclusively by the articles thereof.

44. It was also inappropriate for the concluding observations to include recommendations on contentious topics, in respect of which the international community had yet to adopt a unified approach. That particularly applied to the recommendations concerning sexual orientation and gender identity in paragraphs 23 and 57 (b), respectively, and also concerning sex workers in paragraph 53. It was equally unacceptable to seek to impose anything that went against State policy and might undermine the bedrock of society, such as the decriminalization of drug possession for personal consumption recommended in paragraph 51 (a) and the use of opioid replacement therapy recommended in paragraph 51 (d).

45. Lastly, the Committee's concluding observations should not include matters that were not discussed at the time the report was under consideration, namely the contents of paragraph 15 (f) on the ratification of the Indigenous and Tribal Peoples Convention; paragraph 61 on the ratification of the International Convention on

the Protection of the Rights of All Migrant Workers and Their Families, and of the International Convention for the Protection of All Persons from Enforced Disappearance; and paragraph 43, in which article 11 of the Covenant had been linked to the issue of climate change, another topic that had not been addressed during the dialogue with the experts.

46. In its subsequent steps to implement the provisions of the Covenant, the Russian Federation, in the light of the above, reserved the right to be guided by its national interests with respect to the aforementioned paragraphs.

47. **The President** proposed that the Council should take note of the report on the sixtieth, sixty-first and sixty-second sessions of the Committee on Economic, Social and Cultural Rights (E/2018/22) and the report of the United Nations High Commissioner for Human Rights on economic, social and cultural rights (E/2018/57).

48. *It was so decided.*

Agenda item 2: Adoption of the agenda and other organizational matters (*continued*) (E/2018/L.12 and E/2018/67)

Draft decision E/2018/L.12: Economic and Social Council event to discuss the transition from relief to development

49. **The President** took it that the Council wished to adopt draft decision E/2018/L.12.

50. *It was so decided.*

Requests from non-governmental organizations to be heard by the Economic and Social Council

51. **The President**, drawing attention to document E/2018/67, which contained requests from non-governmental organizations to be heard by the Council, said that the Committee on Non-Governmental Organizations had decided to recommend that the organizations listed in the document should be heard during the high-level segment of the 2018 substantive session of the Council under the corresponding agenda item. She took it that the Council wished to adopt the Committee's recommendation, as contained in document E/2018/67.

52. *It was so decided.*

The meeting rose at 4.40 p.m.